

TOWN OF SOUTHAMPTON

Department of Land Management
Zoning Board of Appeals
116 HAMPTON ROAD
SOUTHAMPTON, NY 11968

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PRELIMINARY AGENDA – NOT OFFICIAL

SOUTHAMPTON TOWN ZONING BOARD OF APPEALS PUBLIC HEARING AGENDA June 4, 2015

The Zoning Board of Appeals meeting is held in the Town Board Room, 116 Hampton Road, Southampton. Applications are scheduled to begin at 7:00 p.m., or shortly thereafter. Applications may not be heard in the order as they appear on this agenda. Current agendas may be viewed on the internet at the following address: www.southamptontownny.gov

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- APPROVAL OF MINUTES

Please note: Applications highlighted in GRAY have requested an adjournment or have requested to withdraw the application

MINOR VARIANCE REVIEW

SCTM - HAMLET

1. **Long Ridge Group, LLC** (appl. 1500084) Helene 900-191-2-34 Hampton Bays
24 Oakhurst Road
Applicant requests relief from Town Code §330-11 (residence districts table of dimensional regulations) for principal front yard setbacks to 33.7 feet from Oakhurst Road and to 35 feet from Bayberry Road where 40 feet is required for a proposed two-story dwelling on a nonconforming lot and any other relief necessary.

NEW APPLICATIONS

SCTM – HAMLET

2. **Oldmill Water Mill, LLC** (appl. 1500077) Laura 900-114-1-25.4 Water Mill
167 Old Mill Road
Applicant requests relief from Town Code §330-11 (residence districts table of dimensional regulations) and Town Code §330-83A(1) (height) to allow a proposed cupola addition to the existing dwelling to have a height of 39'-6" where a maximum of 32 feet is permitted and any other relief necessary.

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SCTM – HAMLET

- Applicant requests relief from the following provisions of the Town Code to legalize a garage/cabana constructed without the benefit of a building permit on a nonconforming lot: (i) §330-115D(5) (continuance) for an accessory side yard setback of 8.5 feet where 10 feet is permitted and (ii) §330-84D (pyramid height) for an encroachment in the amount of 100 cubic feet, (iii) §330-115(C) and §330-115(E) (continuance) for setback of 7 feet to the westerly roof overhang (eave) where 8.5 feet is the setback to a permitted eave encroachment on a nonconforming lot.

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NEW APPLICATIONS – Continued

SCTM – HAMLET

8. **Water Mill Shoppes, LLC** (appl. 1500081) 900-114-1-45 Water Mill
760 Montauk Highway Laura
Applicant is requesting relief from the following provisions of the Code of the Town of Southampton for a proposed monument sign under Article XXII. Signs § 330-205. General provisions: (i) §330-205B(1): The existing front setback to Building No. 1 is 10.34', and 21.05 to Building No. 6, and where no freestanding sign shall be permitted unless the entire building to which it relates is set back from its front line a distance of 40 feet or more, (ii) §330-205B(3): The area of the proposed sign, 52 square feet, exceeds the area limitation of 40 square feet, where, in the case of multiple businesses or buildings on a lot and, if such lot has five or more businesses located on it, such sign may exceed the area limitations in § 330-206, but in no event shall exceed 40 square feet, (iii) §330-205B(5): The proposed sign height is 7 feet (the height of a freestanding sign shall mean the distance from the natural grade to the topmost portion of the sign), and where Monument signs shall not exceed six feet in height and any other relief necessary.
9. **Todd & Jill Cohen** (appl. 1500083) Herb 900-383-1-24 Quogue
31 Homans Avenue
Applicant requests relief from the following provisions of the Town Code: (i) §330-11 (residence districts table of dimensional regulations) for an accessory side yard setback to 13.6 feet for a proposed swimming pool and to 7.5 feet for a proposed deck where 20 feet is required, and (ii) §330-76D (placement of accessory buildings and uses in all districts) and §330-83C (yards) to allow the proposed swimming pool and deck to be located within the required minimum and total side yard of the principal building and any other relief necessary.
10. **No Hotel, LLC** (appl. 1500085) Brian 900-323-2-15 Hampton Bays
16 Penny Lane
Applicant requests relief from Town Code Section §330-116 (extension) as it relates to §330-167B(1)(a) (specific types of variances) to legalize the addition of an office with wood deck above to the existing two-story dwelling on a nonconforming lot with multiple residences. In addition, applicant requests the following relief from §330-84D (pyramid height): 1) An encroachment in the amount of 145 cubic feet to legalize "Shed 1" (westerly shed) constructed without the benefit of a building permit, 2) An encroachment in the amount of 165 cubic feet to legalize "Shed 2" (easterly shed) constructed without the benefit of a building permit, 3) An encroachment in the amount of 187.5 cubic feet to legalize the one-story frame building (shed) attached to the two-story dwelling with attached office constructed without the benefit of a building permit. Applicant also requests relief from the following provisions of the Town Code to allow the illuminated, single sided, dual pole freestanding sign constructed without the benefit of a building permit to remain in its current location: §330-205B (Freestanding signs, including pole and monument signs.): (i) §330-205B(1): The building to which the sign relates is 38.7 feet from the front property line where a minimum of 40 feet is required to allow a freestanding sign to be located on the parcel, (ii) §330-205B(1): A ground clearance of 1.083 feet where a minimum clearance of 2 feet is required, (iii) §330-205B(2): front setback of 0.3 of a foot.

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READVERTISED APPLICATIONS (Re-Opened)

SCTM – HAMLET

11. **RSA Southampton, LLC.** (appl. 1300062) Brian 900-99-1-5 North Sea
144 Edge of Woods Road
On September 19, 2013, by decision number D013229, this Board denied the applicant relief for a proposed two-lot subdivision. By letter dated April 14, 2015, Gilbert G. Flanagan, attorney for the applicant, has requested that said decision be re-opened for the purposes of considering an alternative proposal. This application was re-opened on April 16, 2015.

READVERTISED APPLICATIONS

SCTM – HAMLET

12. **Estate of Dori Pflieger (Lynette D. Theinert)** (appl. 1500064)
14 East End Avenue Denise 900-316-1-22 East Quogue
Applicant requests relief from the following provisions of the Town Code to legalize the conversion of a storage building to dwelling with attached garage and screened porch: (i) Town Code §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 26.2 feet where 60 feet is required and (ii) Town Code §330-105A (schedules of minimum and maximum floor area) to allow the minimum floor area per family of the one-story dwelling to be less than the required 800 square feet on a nonconforming lot and any other relief necessary.

NEW - ADJOURNED APPLICATIONS

SCTM – HAMLET

Adjourned from the 6/5/14, 6/19/14, 7/17/14, 9/4/14, 9/18/14, 11/20/14, 1/15/15, 2/19/15 and the 4/2/15 meeting (Final Adjournment):

13. **372 Lumber Lane, LLC** (appl. 1400053) Herb 900-52-1-26.1 Bridgehampton
372 Lumber Lane
Applicant seeks relief from Town Code §330-167B(3) (specific types of variances) for a change from one nonconforming use to another to legalize: (i) the conversion of a detached garage to an apartment; and (ii) the conversion of a 1 ½ story building to a multi-family dwelling, both converted without the benefit of a building permit on a nonconforming lot and any other relief necessary.

SCOPING SESSION

SCTM – HAMLET

None scheduled for this meeting

HOLDOVER APPLICATIONS

SCTM – HAMLET

Held over from the 4/16/15 meeting:

14. **Francisco DeCarvalho** (appl. 1500045) Keith 900-268-2-10.7 Hampton Bays
22 Long Lane
Applicant requests relief from Town Code §33011.2(F) (accessory apartment special standards) to allow an accessory apartment to be constructed in the basement of a proposed two-story dwelling on lot that is less than 30,000 square feet and any other relief necessary.

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HOLDOVER APPLICATIONS – Continued

SCTM – HAMLET

Adjourned from the 11/20/14 and the 1/15/15 meeting; held over from the 3/19/15 meeting; adjourned from 4/16/15 and the 5/07/15 meeting:

15. **Camp Farrell, LLC** (G2B, LLC – Applicant) (appl. 1400120)
Agricultural Reserve Adam 900-104-1-23.8 Bridgehampton
Applicant appeals the issuance of Building Permit P071393, dated June 21, 2014, approving the application of Camp Farrell LLC to construct a 6 foot high wooden stockade fence along the northerly property line of an Agricultural Reserve and any other relief necessary.

AMENDMENT REQUEST

SCTM – HAMLET

16. **Jesse and Nancy Kirsch** Herb 900-391-1-27.2 Westhampton
640 Dune Road
On June 5, 2014, by decision number D014069, this Board granted the applicant relief from various provisions of the Town Code to allow the reconstruction of a single family dwelling. By letter dated April 20, 2015, applicant requests an amendment to said decision as the plans have been modified.

AMENDMENT/CLARIFICATION

SCTM – HAMLET

17. **Jonathan Morse** Laura 900-101-3-17 Water Mill
12 Mill Pond Lane
On May 21, 2015, this Board voted to clarify decision number 9610, dated January 19, 1995, to permit the subject parcel to utilize the C-Zoning regulations. It was determined that the applicant also requested relief for a front yard setback to the principal dwelling from Deerfield Road as the most recent survey differs from the original survey showing a setback of 38.3 feet instead of 40 feet. This request for relief was inadvertently omitted from the decision read at the May 21, 2015 meeting. The Board will consider rescinding the amended decision and replacing it with a new decision including relief for the principal dwelling.

DECISIONS

DATE CLOSED

SCTM – HAMLET

Sean Dunne (written submission by 5/21/15)	Helene	4/16/15	900-376-1-45	Westhampton
John Galietti & Mary Galietti (written submissions)	Keith	5/7/15	900-297-1-19	Hampton Bays
CR39 Holding, LLC (written submissions)	Laura	5/21/15	900-158-2-4	Tuckahoe
Luis F. Escobar	Adam	5/21/15	900-256-1-27.1	Hampton Bays

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<u>DECISIONS</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
Estate of Thomas Hamilton (written submissions)	Brian	5/21/15	900-142-1-42	Flanders
Nermin Brbutovic (written submissions)	Adam	5/21/15	900-231-1-15	Hampton Bays
Raymond & Angie Giovannello	Adam	5/21/15	900-343-1-54	East Quogue
Michael Selleck	Helene	5/21/15	900-29-2-40	Noyac
Alfred Glass, Theresa Glass, et al	Adam	11/6/14	900-323-2-17.3, 18, 19 & p/o 16	Hampton Bays
Rodrigo Acosta	Herb	4/16/15	900-95-2-48	North Sea
Kerry J. MacWhinnie	Laura	4/16/15	900-101-3-1.6	Water Mill
Carlo & Jennifer Gabrielli (written submissions)	Helene	4/2/15	900-59-2-14	North Sea
395 Rose Hill Road, LLC (written submissions)	Helene	3/19/15	900-115-3-15.2	Water Mill